

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA**

**CM/ECF USERS' ADVISORY GROUP**

**JANUARY 29, 2002, MEETING**

**MINUTES**

A meeting of the CM/ECF Users' Advisory Group (UAG) was held on Tuesday, January 29, 2002. The meeting, which was held via video teleconference at the Court's Alexandria, Norfolk and Richmond facilities, commenced at 12:30 PM and concluded at 1:35 PM. The following persons were in attendance at the meeting: Carmen Escalera (for Bob Weed), Barry Spear, Frank Santoro, Debera Conlon, Bill Parkinson, Charles Krumbein, Judge Adams, Peggy Grivetti, Steve Kopacki, Chuck Miller, Barry Wells, Renee Mitchell-Paxton, Debbie Lowe, Dick Napoli and Bill Redden.

**Approval of Minutes from Last Meeting and Opening Comments (*Bill Redden*)**

The minutes from the December 4, 2001, meeting were approved and will be posted to the Court's CM/ECF home page at the Court's web site and transmitted, via e-mail, to registered users.

Bill also noted one item of interest:

A Symantec security response had been issued concerning a mass-mailing email worm, discovered on January 26, 2002, known as the "Myparty" worm. Bill cautioned users to avoid opening this worm.

**1. Current Status and Information of Interest**

**a. January 1, 2002, Changes in Bankruptcy Case Administration; Statistical Information (*Bill Redden*)**

Bill provided information on the changes in EDVA bankruptcy case administration that became effective on January 1, 2002, as described in Standing Order No. 01-6, which was entered by the Court on November 1, 2001. Bill also provided information on the statistical tables provided to the UAG meeting participants. Bill discussed the two statistical tables that appear at the last two pages of the Oct/Nov/Dec. 2001 issue of the *CM/ECF Newsletter*. These tables provide statistical information on ECF petition filings, by division, from July 1999 through December 2001, inclusive. The tables are being closed out with the December 2001 entry of data since all petitions will be filed in CM/ECF beginning January 1, 2002. For information and reference purposes, the tables will be placed at the statistical filings link to the EDVA web site home page in the near future.

A meeting participant inquired why Richmond Division filings seemed to be on the increase especially when compared to filings in the other divisions.

Bill replied that a number of factors may be at work here. First, the federal military and civilian presence in the Richmond Division's geographic boundaries was less than that in the Northern Virginia and Tidewater areas of the EDVA. This means that federal payroll and commercial dollars were not as present in the Richmond Division to act as a cushion against the downturn in the economy. Second, anecdotally, it appears that there are a larger number of job layoffs within the geographic boundaries of the Richmond Division and this may be having an upward affect on petition filings. Third, the Richmond Division has a larger and more rural geographic area to cover that could amplify on the first two factors noted above.

**b. CM/ECF Version 1 Release Candidate 6 Status; CM/ECF Version 2 Update (*Bill Redden, Barry Wells, Dick Napoli*)**

Barry Wells reported that CM/ECF Version 1 Release Candidate 6 (Release 6) had just been installed on the EDVA test server equipment for internal testing before being released on the live data server equipment. Barry noted that Release 6 is intended, among other things, to provide an Internet Explorer (IE) compatibility solution for those external users using IE rather than Netscape. Release 6 also is intended to provide patches to correct a memory leak problem.

Bill provided an update on Bankruptcy CM/ECF Version 2. A meeting participant inquired whether CM/ECF releases were provided to all courts at the same time. Bill replied by noting that the AO did make CM/ECF releases available to the courts at the same time. This did not mean, however, that all of the receiving courts placed releases on their live databases at the same time. A number of factors, including other work priorities and internal testing results, would need to be taken into account before a release became operational in a given CM/ECF court.

**c. BOPS Update (*Barry Wells*)**

Barry provided an update to the meeting participants. He noted that numerous attorneys in the EDVA were using the front end of BOPS. The EDVA is waiting for the BNC to complete programming that will permit the latter to transmit orders to non-ECF registered participants (the back end of BOPS). The BNC currently is not able to process native .pdf documents. Once this capability has been added by the BNC and incorporated into BOPS, attorneys no longer will be required to provide self-addressed, stamped envelopes to the clerk's office as required now under LBR 9022-1. The Clerk's Office is estimating that the new BNC capability will be incorporated into BOPS by the end of March 2002 if the BNC development of this capability remains on schedule.

A meeting participant asked for further comment on the envelope issue, which was provided by Barry. A meeting participant also inquired whether orders could be submitted in BOPS to chambers now and manually served to non-

ECF registered participants. Barry answered in the affirmative. He noted that the use of proponent-provided envelopes would need to be managed in coordination with receiving proposed orders via the Internet through the front end of BOPS. Barry noted that Michael Johnson is developing a district-wide training schedule for the Clerk's Office and for chambers.

**d. NIBS Conversion Program Update (*Karin Doggett*)**

Barry provided an update in lieu of Karin Doggett who was not able to attend the meeting. The NIBS conversion utility program has not been completed by the AO as yet. This means that the mid-February 2002 planned conversion of the EDVA NIBS e-docket data will need to be deferred for several weeks. EDVA automation staff members are working diligently with their counterparts at the AO to have the conversion utility program completed by the AO and tested locally before data conversion takes place. Bill made additional comment on the conversion effort.

A meeting participant inquired whether documents in addition to e-docket data would be converted as well. Bill replied that e-docket data only would be converted. Inquiry also was made by a meeting participant concerning access to NIBS data post-conversion other than through the PACER login mechanism. Bill stated that all EDVA case data only would be accessed through the PACER login mechanism and that the need for external users to secure PACER accounts had been emphasized by the Clerk's Office since last summer.

**2. Technical Questions (*No technical questions have been submitted as of January 24, 2002*)**

No technical questions were presented for discussion at the meeting or raised during the meeting.

**3. Communications and Training Issues**

**a. External Training (*Dick Napoli and Renee Mitchell-Paxton*)**

Dick Napoli noted the availability of external user ECF training information on the EDVA Internet and ECF home pages. Division-specific Clerk's Office staff member training contacts and their work telephone numbers are noted on these links. Training date availability can be secured when listed Clerk's Office staff members are contacted.

Dick noted that a concerted effort is being made by the Clerk's Office to encourage the filing of proofs of claim via the Internet.

Renee Mitchell-Paxton noted that computer-based training modules may be added either to the EDVA divisional Internet home pages or to the CM/ECF home page. This is in addition to the attorney tutorial already available as a

link to the EDVA CM/ECF home page. Renee advised that flow charts are being developed for the benefit of external and internal CM/ECF users.

**b. CM/ECF Help Desk (*To be Determined*)**

Debbie Lowe, a member of the Clerk's Office's ACC Team, was present at the meeting to answer help desk and related questions from the meeting participants. Debbie indicated that since January 1, 2002, there has been no appreciable change in the nature of the questions being presented to the CM/ECF Help Desk by external users.

**c. Oct/Nov/Dec. 2001 *CM/ECF Newsletter* (*Dick Napoli*)**

Dick noted that the Oct/Nov/Dec. issue of the *CM/ECF Newsletter* was released and is available for downloading from the EDVA CM/ECF home page. An advisory e-mail had been sent, to this effect, to external users. Internal users also were advised of its release.

**4. Handout Materials (*at meeting sites*)**

Bill noted the handout materials provided to the meeting participants, which had been identified earlier in the meeting.

**5. Other Issues of Interest**

A meeting participant inquired about the feasibility of having an e-mail address listing directory prepared for use by attorneys to provide notices to recipients. Debbie Lowe indicated that there is a mechanism in Bankruptcy CM/ECF Version 1 to secure information of this nature. The issue was discussed further by the meeting participants and Clerk's Office staff members agreed to explore the matter further.

A meeting participant also commented on the password mechanism incorporated into Bankruptcy CM/ECF Version 1 and expressed concern about possible misuse if unauthorized persons gained access. Debbie Lowe commented that it was important for external users to change their passwords if they felt the passwords had been compromised. In addition, she noted that it was a good idea to change the passwords periodically even absent an indication of the password having been compromised. Bill commented that the mechanism described by Debbie essentially was in the nature of self-policing by the registered users.

**6. Next Meeting Date, Location(s) and Time**

The next UAG meeting will be scheduled for Wednesday, April 10, 2002. The meeting will be held via video teleconference, through Sprint, from 2:00 PM to 3:45 PM, at the Court's Alexandria, Norfolk and Richmond facilities. UAG members are requested to provide Bill Redden with proposed agenda items, issues of interest and technical questions by a date to be provided [April 3, 2002].

This will facilitate a review by court representatives of any submitted agenda items and technical questions prior to the next UAG meeting.

An agenda for the next meeting will be sent out by the Clerk's Office on a date to be determined [April 8, 2002].

The meeting adjourned at 1:35 PM.

Respectfully submitted,

William C. Redden